



COSTA MESA SANITARY DISTRICT

MINUTES OF BOARD OF DIRECTORS REGULAR MEETING

JANUARY 8, 2004

CALL TO ORDER

The Board of Directors of the Costa Mesa Sanitary District met in regular session on January 8, 2004, at 6:00 p.m. in Room 1A of the Civic Center, 77 Fair Drive, Costa Mesa.

President Schafer called the meeting to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE

Director Worthington led the Pledge of Allegiance

INVOCATION

Director Woodside gave the invocation.

ROLL CALL

DIRECTORS PRESENT: Arlene Schafer, Greg Woodside, Art Perry, James Ferryman, Dan Worthington

DIRECTORS ABSENT: None

STAFF PRESENT: Robin Hamers, Manager/Engineer; Alan Burns, Legal Counsel; Tom Fauth, Assistant Manager; Joan Revak, Clerk of the District; Marc Puckett, Treasurer; Ron Shef, District Ordinance Enforcement Officer

OTHERS PRESENT: None.



..... **CONSENT CALENDAR**

Ms. Revak made a correction to the Minutes of the Regular Board meeting, Treasurer's Report, Investment Policy Revision, Resolution No. 2003-676. The Resolution should be numbered Resolution No. 2003-677 and show as follows:

Mr. Puckett introduced Resolution No. 2003-677, A RESOLUTION OF THE BOARD OF DIRECTORS OF THE COSTA MESA SANITARY DISTRICT, ADOPTING THE REVISED 2003-2004 STATEMENT OF INVESTMENT POLICY, AND AUTHORIZING THE TREASURER TO INVEST AND REINVEST IDLE MONIES OF THE COSTA MESA SANITARY DISTRICT IN ACCORDANCE WITH THE REVISED 2003-2004 STATEMENT OF INVESTMENT POLICY, AND AUTHORIZING THE SAID TREASURER TO DELEGATE TO HIS DEPUTY THE CARRYING OUT OF ANY SUCH TASKS.

Director Ferryman motioned to adopt Resolution No. 2003-677. Director Worthington seconded. Motion carried 5-0.

Ms. Revak also revised the Occupancy Report to reflect an increase of one unit, not three units and the correct occupancy is 21,077. The dollar figure is correct.

Director Perry motioned to approve the Consent Calendar as corrected. Director Worthington seconded. Motion carried 5-0.

REPORTS

MINUTE APPROVAL

Minutes of Recycling
Committee Meeting,
December 9, 2003

The Minutes of the Recycling Committee Meeting
of December 9, 2003, were approved as
distributed.

Minutes of Regular
Meeting,
December 10, 2003

The Minutes of the Regular Meeting of December
10, 2003, were approved as distributed.

MANAGER'S REPORTS

Refunds

There were no refunds submitted for December
2003.



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Occupancy Report and Payment of \$181,890.29 to Costa Mesa Disposal – January 2004

The Revised Trash Occupancy Count documented an increase of 1 unit for the occupancy report for solid waste collection as of January 1, 2004. Therefore, the total for January is 21,077.

Board directed Staff to prepare a warrant for \$181,890.29 to Costa Mesa Disposal on February 1, 2004, for payment for January trash collection based on the January count of 21,077.

Monthly Spill Report to Regional Water Quality Control Board (RWQCB)

The Monthly Spill Report to the Regional Water Quality Control Board (RWQCB) for December 2003 was accepted as submitted.

Safety/Loss Control Meeting – December 16, 2003

The Minutes of the Safety/Loss Control Meeting of December 16, 2003, were approved as distributed.

ENGINEER'S REPORTS

Project Status Report

The Project Status Report dated January 2004, was accepted as submitted.

TREASURER'S REPORTS

Financial Report as of December 31, 2003

The Financial Report as of December 31, 2003, was accepted as submitted.

Report of Monies on Deposit as of December 31, 2003

The Report of Monies on Deposit as of December 31, 2003, was received and filed.

Warrant 2004-07 for January 2004 in the amount of \$446,837.36

Warrant Resolution #CMSD 2004-07 was approved, authorizing the President and Secretary to sign the warrant and instructing the Treasurer to draw a warrant from the Costa Mesa Sanitary District General Fund in the amount of \$446,837.36.



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Directors Expenses for the Month of December 2003 Director Expenses for the Month of December 2003 were ratified as follows:

Director Ferryman: \$340.00
Director Perry: \$340.00
President Schafer: \$680.00 +\$3.60
Vice President Woodside: \$170.00
Director Worthington: \$850.00

..... **END OF CONSENT CALENDAR**

WRITTEN COMMUNICATIONS

President Schafer presented the holiday card received from the children and staff at St. Jude's Ranch. The card was received and filed.

PUBLIC COMMENTS

There were no public comments made.

MANAGER'S REPORTS

ANTI-SCAVENGING AND SCREENING OF TRASH CONTAINERS ENFORCEMENT REPORTS

POLICE REPORT

Mr. Hamers presented a memorandum providing the scavenging statistics for December as follows:

Location	Calls for Service	Cite/Arrest
Area I	0	4
Area II	0	0
Area III	1	2
Area IV	0	0
TOTAL	1	6



DISTRICT ORDINANCE ENFORCEMENT OFFICER REPORT

Mr. Hamers presented the ordinance enforcement summary report for the four-week period beginning November 24, 2003 and ending December 21, 2003.

Mr. Shef's summary report contained the following information:

- 30 flyers given to residents and 4 containers oversprayed and ID tagged.
- Distribution of Christmas tree flyers.
- Checked telephone book recycling dumpsters

Mr. Hamers reported the transition to full automation will be discussed with Mr. David Ronnenberg, CR&R, Incorporated, and information provided to the Board at the February regular meeting.

CMSD STRATEGIC PLAN

YEAR 2003/2004 ACTION ITEMS

Mr. Hamers presented the 2003/2004 Strategic Planning Action Items.

SEPARATION OF ADMINISTRATIVE STAFF FROM CITY

Mr. Hamers reported a special meeting is scheduled for January 15, 2004 at 4:00 p.m.

Mr. Puckett provided a tentative proposal for the City to provide technical support services to the Costa Mesa Sanitary District. The proposal is based on 2003/2004 data and will be updated with 2004/2005 data when available.

Discussion was held on the tentative proposal.

RECYCLING REPORTS

WASTE DIVERSION REPORT – DECEMBER 2003

The Waste Diversion Report for December showing a diversion rate of 50.07, was presented to the Board.

Director Ferryman motioned to receive and file the Waste Diversion Reports for December. Director Perry seconded. Motion carried 5-0.



CONTRACT PAYMENT TO CR TRANSFER FOR RECYCLING SERVICES AND DISPOSAL

PAYMENT FOR DECEMBER 2003 SERVICES

Director Woodside motioned to approve contract payment to CR Transfer for recycling services and disposal for the month of December 2003, in the amount of \$168,432.68. Director Perry seconded. Motion carried 5-0.

CURBSIDE HHW COLLECTION

Mr. Fauth provided an analysis of Curbside HHW collection costs.

RECYCLING COMMITTEE – TUESDAY, JANUARY 6, 2004, 9:00 A.M., DIRECTORS WORTHINGTON AND WOODSIDE

STRATEGIC PLANNING 2004 – PUBLIC OUTREACH – CLASSROOM RECYCLING PROJECTS

Director Worthington reported he will attend a vermicomposting presentation next week at an elementary school. Additional presentations are scheduled for 6th grade classes in the near future.

COSTAMAZING – DISTRICT PARTICIPATION

Ms. Revak presented the finalized peppercorn packets to the Board. The packets will be distributed at the February 7, 2004 CostaMazing event.

Mr. Hamers suggested the peppercorn packets be given to the Costa Mesa Historical Society and City Council as well as distributed at the CostaMazing event.

Director Worthington contacted a Register reporter who had previously done a story on the Diego Sepulveda Estancia adobe to discuss the history of the Pepper trees.

2003 SCHOOL TELEPHONE BOOK RECYCLING PROGRAM

Director Worthington reported the 2003 School Telephone Book Recycling Program began on December 1, 2003. There are 27 schools collecting the telephone books.

Ms. Revak reported the telephone books were not delivered on schedule, resulting in a slow start to the collection program. The program will be extended a few weeks to compensate for the late delivery of the telephone books.



2003 CHRISTMAS TREE RECYCLING PROGRAM

Director Worthington reported the 2003 Christmas Tree Recycling Program began on December 26, 2003 and ran to January 3, 2004.

Director Worthington reported the locations selling Christmas trees in Costa Mesa sold out of trees. Director Worthington noted the grocery stores did not provide Christmas trees this year and that may have contributed to the decline of sales at the existing tree lots.

RECYCLING BATTERIES

Director Worthington reported going to a large battery supplier in the City of Costa Mesa and inquiring as to their knowledge of the upcoming recycling requirements. Director Worthington expressed surprise to learn the president of the organization had just learned of the requirements from the Orange County Register newspaper article and there was no discussion in the industry prior to the article.

Director Worthington suggested the District modify a 35-gallon container to collect the used batteries, store them in the Corporate Yard, and deliver them to the TOXCO recycling facility with a District pickup truck.

Mr. Burns discussed the possible legal impact on the District regarding the collection and transport of hazardous materials.

Mr. Burns reviewed the draft agreement between Toxco Inc. and the Costa Mesa Sanitary District, discussing items the District would want incorporated in the agreement.

Mr. Burns suggested using a third party to transport the materials.

Mr. Fauth prepared an outline of a pilot program for the collection and disposal of batteries at ten schools over a two-month period to begin in April. Key points of the program are as follows:

1. Number of schools: 10 (2 high, 4 middle, 4 elementary)
2. Schedule: mid-April 2004 to mid-June 2004 (2 months)
3. Cost: 10 schools x 8 boxes/school x \$52.50/box = \$4,200
4. School Approval: NMUSD Authorization for 10 selected schools



5. Benefit: Education to District school children, Public Awareness at homes, testing program documenting the concept as a proactive approach to meeting the February 9, 2006 diversion requirement.
6. If items 1-5 above are deemed acceptable to the Board, District Counsel Alan Burns will have to determine through correspondence with Toxco and Kinsbursky Brothers whether their recycling guarantees, indemnification, and insurance meet District standards.

Discussion was held regarding the pilot program.

The Board requested items four and six be researched further and a report presented to the Board at the February regular Board meeting.

ENGINEER'S REPORTS

WASTE DISCHARGE REQUIREMENTS – (WDR)

GENERAL UPDATE

Mr. Hamers provided a brief report on the current status including staff attendance at an education seminar. Mr. Shef was also in attendance and may be utilized in restaurant inspections in the future.

TREASURER'S REPORTS

Mr. Puckett reported the Investment Oversight Committee was held with Directors Woodside and Worthington in attendance. Minutes will be presented at the next Board meeting.

Mr. Puckett also discussed a change to the January report on page 6, the Summary of Policy Limitations as of December 31, 2003. Mr. Puckett stated the report does not reflect the Board's decision to increase the maximum percentage of the portfolio that may be invested in any one agency from 25 to 40 percent and decrease the minimum percentage of securities that must mature within one year from 25 percent to 20 percent. Mr. Puckett will make the changes to the January report.



ATTORNEY'S REPORTS

433 WALNUT PLACE AGREEMENT – AGREEMENT WITH PROPERTY OWNER

Mr. Burns reported he and Mr. Hamers have been working with the property owner at 433 Walnut Place. Mr. Burns reported an agreement has not been reached. Mr. Burns will report back any updates.

PROPOSED AMENDMENT OF OPERATIONS CODE TO REQUIRE COMPLIANCE WITH THE TORT CLAIMS ACT

Mr. Burns introduced the amended Ordinance No. 44, AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE COSTA MESA SANITARY DISTRICT AMENDING THE DISTRICT'S OPERATIONS CODE WITH RESPECT TO SEWER AND TRASH CHARGE EXEMPTIONS AND REFUNDS. The Ordinance was worded to include trash charges.

Director Ferryman motioned to ratify the changes to Ordinance No. 44. Director Perry seconded. Motion carried 5-0.

LEGALITY OF DISTRICT EXPENDITURE TO PREPARE INITIATIVE MEASURE

Mr. Burns researched whether the District can contribute approximately \$250 towards the preparation of an initiative measure. The memo from the CSDA states the contribution would be used to assist in paying the cost of formulating, drafting, and finding sponsors for a statewide ballot initiative to give the voters a choice whether local tax revenue should be diverted to fund state services.

Mr. Burns determined that the District can contribute the money towards the preparation of an initiative measure.

LOCAL MEETINGS

ORANGE COUNTY SANITATION DISTRICT (OCSD)

REGULAR MEETING – DECEMBER 17, 2003(DIRECTOR FERRYMAN)

Director Ferryman attended the December 17, 2003 meeting and reported the following:

- FOG policy adopted
- Attendance at the Orange County Leadership Conference in Arrowhead



INDEPENDENT SPECIAL DISTRICTS OF ORANGE COUNTY (ISDOC)

QUARTERLY MEETING – JANUARY 29, 2004

President Schafer reported the Quarterly meeting will be held January 29, 2004 with Jim Silva as guest speaker.

President Schafer reported the Board meeting was held on January 6, 2004, and they discussed the following:

- CSDA and the Local Taxpayers and Public Protection Act
- Website

LOCAL AGENCY FORMATION COMMISSION (LAFCO)

President Schafer will attend the January 14, 2004, LAFCO meeting and reported they will discuss the following:

- Election of a new Chair and Vice Chair.
- Strategic planning session held on January 30, 2004, in Laguna Hills.
- Hearing on reconsideration of El Toro.

CALIFORNIA SPECIAL DISTRICTS ASSOCIATION (CSDA)

President Schafer will be unable to attend the CSDA due to her attendance at the Orange County Leadership Conference in Arrowhead.

LOCAL TAXPAYERS AND PUBLIC SAFETY PROTECTION ACT

President Schafer requested approval of a \$250 contribution for the preparation of the Local Taxpayers and Public Safety Protection Act initiative.

Director Woodside motioned to approve a \$250 contribution toward preparation of the Local Taxpayers and Public Safety Protection Act initiative. Director Ferryman seconded. Motion carried unanimously.



LOCAL GOVERNMENT BALLOT INITIATIVE

CMSD RESOLUTION No. 2004-678, SUPPORTING A STATEWIDE BALLOT INITIATIVE TO REQUIRE VOTER APPROVAL BEFORE STATE GOVERNMENT MAY TAKE LOCAL TAX FUNDS.

President Schafer presented Resolution No. 2004-678, A RESOLUTION OF THE BOARD OF DIRECTORS OF THE COSTA MESA SANITARY DISTRICT SUPPORTING A STATEWIDE BALLOT INITIATIVE TO REQUIRE VOTER APPROVAL BEFORE STATE GOVERNMENT MAY TAKE LOCAL TAX FUNDS.

Director Ferryman motioned to adopt Resolution No. 2004-678. Director Worthington seconded. Motion carried unanimously.

CALIFORNIA ASSOCIATION OF SANITATION AGENCIES (CASA)

CONFERENCE – JANUARY 21-24, 2004 IN PALM SPRINGS

President Schafer and Director Worthington will attend the CASA conference in Palm Springs, January 21-24, 2004, at the Hilton Palm Springs Hotel.

OLD BUSINESS

There was no old business discussed.

NEW BUSINESS

There was no new business discussed.

ORAL COMMUNICATIONS AND DIRECTOR COMMENTS

Ms. Revak inquired as to who was planning on attending the Quarterly meeting of ISDOC. All directors will be in attendance.

Director Woodside requested Mr. Hamers present an update on the West Side Pumping Station Abandonment.

Director Worthington reported attending a meeting regarding the upcoming LAFCO reconsideration of the El Toro Marine base property.



ADJOURNMENT

At 7:30 p.m., President Schafer adjourned the meeting.

SECRETARY

PRESIDENT